

Owens	Ryan (OH)	Tancredo
Oxley	Ryan (WI)	Tanner
Pallone	Ryun (KS)	Tauscher
Pascarell	Sabo	Taylor (MS)
Pastor	Salazar	Taylor (NC)
Paul	Sánchez, Linda	Terry
Payne	T.	Thomas
Pearce	Sanchez, Loretta	Thompson (CA)
Pelosi	Sanders	Thompson (MS)
Peterson (MN)	Saxton	Tiberi
Peterson (PA)	Schakowsky	Tierney
Petri	Schiff	Towns
Pickering	Schwartz (PA)	Turner
Pitts	Schwarz (MI)	Udall (CO)
Platts	Scott (GA)	Udall (NM)
Pombo	Scott (VA)	Upton
Pomeroy	Sensenbrenner	Van Hollen
Porter	Serrano	Velázquez
Portman	Sessions	Visclosky
Price (NC)	Shadegg	Walden (OR)
Pryce (OH)	Shaw	Walsh
Putnam	Shays	Wamp
Radanovich	Sherman	Wasserman
Rahall	Sherwood	Wasserman
Ramstad	Shimkus	Schultz
Rangel	Shuster	Waters
Regula	Simmons	Watson
Rehberg	Skelton	Watt
Reichert	Slaughter	Weiner
Renzi	Smith (NJ)	Weldon (PA)
Reyes	Smith (TX)	Weller
Reynolds	Smith (WA)	Wexler
Rogers (AL)	Snyder	Whitfield
Rogers (KY)	Sodrel	Wilson (NM)
Rogers (MI)	Solis	Wilson (SC)
Rohrabacher	Spratt	Wolf
Ros-Lehtinen	Stark	Woolsey
Ross	Stearns	Wu
Roybal-Allard	Strickland	Wynn
Royce	Stupak	Young (AK)
Ruppersberger	Sullivan	Young (FL)
Rush	Sweeney	

NAYS—20

Barton (TX)	Culberson	Poe
Blackburn	Gillmor	Price (GA)
Burgess	Gohmert	Simpson
Burton (IN)	King (IA)	Thornberry
Buyer	McHenry	Tiahrt
Carter	Otter	Weldon (FL)
Cubin	Pence	

ANSWERED "PRESENT"—1

Souder

NOT VOTING—7

Boucher	Rothman	Wicker
Brown, Corrine	Waxman	
Lee	Westmoreland	

□ 2040

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 241, House Resolution 240 is adopted.

The text of H. Res. 240 is as follows:

H. RES. 240

Resolved, That clause 3 of rule XI of the Rules of the House of Representatives (relating to the Committee on Standards of Official Conduct) is amended as follows:

(1) Subparagraph (2) of paragraph (b) is amended to read as follows:

"(2) Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual Member, Delegate, Resident Commissioner, officer, or employee of the House only—

"(A) upon receipt of information offered as a complaint, in writing and under oath, from a Member, Delegate, or Resident Commissioner and transmitted to the committee by such Member, Delegate, or Resident Commissioner; or

"(B) upon receipt of information offered as a complaint, in writing and under oath, from a person not a Member, Delegate, or Resident Commissioner provided that a Member, Delegate, or Resident Commissioner certifies in writing to the committee that he believes the information is submitted in good faith and warrants the review and consideration of the committee.

If a complaint is not disposed of within the applicable periods set forth in the rules of the Committee on Standards of Official Conduct, the chairman and ranking minority member shall establish jointly an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. However, if at any time during those periods either the chairman or ranking minority member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the committee."

(2) Paragraph (k) is amended to read as follows:

"Duties of chairman and ranking minority member regarding properly filed complaints

"(k)(1) The committee shall adopt rules providing that whenever the chairman and ranking minority member jointly determine that information submitted to the committee meets the requirements of the rules of the committee for what constitutes a complaint, they shall have 45 calendar days or five legislative days, whichever is later, after that determination (unless the committee by an affirmative vote of a majority of its members votes otherwise) to—

"(A) recommend to the committee that it dispose of the complaint, or any portion thereof, in any manner that does not require action by the House, which may include dismissal of the complaint or resolution of the complaint by a letter to the Member, officer, or employee of the House against whom the complaint is made;

"(B) establish an investigative subcommittee; or

"(C) request that the committee extend the applicable 45-calendar day or five-legislative day period by one additional 45-calendar day period when they determine more time is necessary in order to make a recommendation under subdivision (A).

"(2) The committee shall adopt rules providing that if the chairman and ranking minority member jointly determine that information submitted to the committee meets the requirements of the rules of the committee for what constitutes a complaint, and the complaint is not disposed of within the applicable time periods under subparagraph (1), then they shall establish an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. However, if, at any time during those periods, either the chairman or ranking minority member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the committee."

(3) Paragraphs (p) and (q) are amended to read as follows:

"Due process rights of respondents

"(p) The committee shall adopt rules to provide that—

"(1) not less than 10 calendar days before a scheduled vote by an investigative subcommittee on a statement of alleged violation, the subcommittee shall provide the respondent with a copy of the statement of alleged violation it intends to adopt together with all evidence it intends to use to prove

those charges which it intends to adopt, including documentary evidence, witness testimony, memoranda of witness interviews, and physical evidence, unless the subcommittee by an affirmative vote of a majority of its members decides to withhold certain evidence in order to protect a witness; but if such evidence is withheld, the subcommittee shall inform the respondent that evidence is being withheld and of the count to which such evidence relates;

"(2) neither the respondent nor his counsel shall, directly or indirectly, contact the subcommittee or any member thereof during the period of time set forth in paragraph (1) except for the sole purpose of settlement discussions where counsel for the respondent and the subcommittee are present;

"(3) if, at any time after the issuance of a statement of alleged violation, the committee or any subcommittee thereof determines that it intends to use evidence not provided to a respondent under paragraph (1) to prove the charges contained in the statement of alleged violation (or any amendment thereof), such evidence shall be made immediately available to the respondent, and it may be used in any further proceeding under the rules of the committee;

"(4) evidence provided pursuant to paragraph (1) or (3) shall be made available to the respondent and his or her counsel only after each agrees, in writing, that no document, information, or other materials obtained pursuant to that paragraph shall be made public until—

"(A) such time as a statement of alleged violation is made public by the committee if the respondent has waived the adjudicatory hearing; or

"(B) the commencement of an adjudicatory hearing if the respondent has not waived an adjudicatory hearing;

but the failure of respondent and his counsel to so agree in writing, and their consequent failure to receive the evidence, shall not preclude the issuance of a statement of alleged violation at the end of the period referred to in paragraph (1);

"(5) a respondent shall receive written notice whenever—

"(A) the chairman and ranking minority member determine that information the committee has received constitutes a complaint;

"(B) a complaint or allegation is transmitted to an investigative subcommittee;

"(C) an investigative subcommittee votes to authorize its first subpoena or to take testimony under oath, whichever occurs first; or

"(D) an investigative subcommittee votes to expand the scope of its investigation;

"(6) whenever an investigative subcommittee adopts a statement of alleged violation and a respondent enters into an agreement with that subcommittee to settle a complaint on which that statement is based, that agreement, unless the respondent requests otherwise, shall be in writing and signed by the respondent and respondent's counsel, the chairman and ranking minority member of the subcommittee, and the outside counsel, if any;

"(7) statements or information derived solely from a respondent or his counsel during any settlement discussions between the committee or a subcommittee thereof and the respondent shall not be included in any report of the subcommittee or the committee or otherwise publicly disclosed without the consent of the respondent; and

"(8) whenever a motion to establish an investigative subcommittee does not prevail, the committee shall promptly send a letter to the respondent informing him of such vote.

“Committee reporting requirements

“(q) The committee shall adopt rules to provide that—

“(1) whenever an investigative subcommittee does not adopt a statement of alleged violation and transmits a report to that effect to the committee, the committee may by an affirmative vote of a majority of its members transmit such report to the House of Representatives;

“(2) whenever an investigative subcommittee adopts a statement of alleged violation, the respondent admits to the violations set forth in such statement, the respondent waives his or her right to an adjudicatory hearing, and the respondent’s waiver is approved by the committee—

“(A) the subcommittee shall prepare a report for transmittal to the committee, a final draft of which shall be provided to the respondent not less than 15 calendar days before the subcommittee votes on whether to adopt the report;

“(B) the respondent may submit views in writing regarding the final draft to the subcommittee within seven calendar days of receipt of that draft;

“(C) the subcommittee shall transmit a report to the committee regarding the statement of alleged violation together with any views submitted by the respondent pursuant to subdivision (B), and the committee shall make the report together with the respondent’s views available to the public before the commencement of any sanction hearing; and

“(D) the committee shall by an affirmative vote of a majority of its members issue a report and transmit such report to the House of Representatives, together with the respondent’s views previously submitted pursuant to subdivision (B) and any additional views respondent may submit for attachment to the final report; and

“(3) members of the committee shall have not less than 72 hours to review any report transmitted to the committee by an investigative subcommittee before both the commencement of a sanction hearing and the committee vote on whether to adopt the report.”

DEMOCRATS SHOULD REFOCUS EFFORTS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the American people elected us to represent their best interests, and Republicans in the 109th Congress are fulfilling their duties. In only 4 months, Republicans have made real progress in decreasing the deficit, strengthening America’s borders, preventing frivolous lawsuits, improving our highways, and providing our country with a comprehensive energy policy.

Unfortunately, in an effort to obstruct the successful Republican agenda, House Democrats have dedicated their time and energy to play politics and obstruct Republican Members of Congress.

Last week, Republican Members of the Committee on Standards of Official Conduct agreed to impanel a formal investigation into the recent allegations regarding the majority leader. Today, the House considered another proposal to address this issue.

House Democrats prefer to attack our effective majority leader, the gentleman from Texas (Mr. DELAY), instead of allowing Congress to hold an open and honest discussion on this issue. I am disappointed by their actions and hopeful that Democrats will refocus their efforts on providing real solutions for the American people.

In conclusion, God bless our troops, and we will never forget September 11.

TRAVEL RESTRICTIONS TO CUBA AFFECTING AMERICAN TROOPS

(Mr. MCDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, we heard the last speaker say “God bless the troops.”

I want to tell you the story of a man named Carlos Lazo. He is a Cuban-American. He joined the military. He served honorably in the National Guard in the State of Washington. He spent a year in Iraq as a medic in Fallujah, the most violent area of Baghdad or all of Iraq.

When he came back he thought, Maybe I would like to go see my children. So he went and applied for a visa to Cuba, and he was told, Well, we are sorry, you went in 2003. You can’t see your children until 2006.

Now, we are out here passing these ridiculous resolutions about how the Cubans act about travel. Why can Carlos Lazo not go and see his children?

I write a letter to OFAC up at the Department of Treasury. They do not even answer my letter. They give no justification for why a man who served cannot see his kids. And guess what? He is going back to Iraq. That is how much we respect the military in this country.

Somebody ought to act on his behalf. The Republicans have control of this Congress. They have control of the White House. And Carlos cannot see his kids. Some democracy you are selling in Iraq.

CONGRATULATING COACH GENE MAYFIELD ON HIS INDUCTION TO THE TEXAS HIGH SCHOOL FOOTBALL HALL OF FAME

(Mr. CONAWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, I rise tonight to congratulate Coach Gene Mayfield on his induction into the Texas High School Hall of Fame. On May 7, 2005, Coach Mayfield will be inducted into the Texas High School Hall of Fame.

Coach Mayfield was a master at turning mediocre football programs into State title contenders. A graduate of Quitaque High School, Mayfield played quarterback for Coach Frank Kimbrough at West Texas State University. In 1950, Mayfield led his team

to a Border Conference Championship and a win over the University of Cincinnati in the 1951 Sun Bowl. After serving as Kimbrough’s assistant for two seasons, Mayfield accepted the job at Littlefield High School, where his teams advanced to the Texas State semi-final games in 1954 and 1956.

Coach Mayfield began rebuilding the football program at Borger High School in 1958 with a district title in his first season. His 1962 squad was undefeated until losing the Texas State championship game to San Antonio Brackenridge 30 to 26.

In 1965, the “Father of Mojo” took over an Odessa Permian team picked to finish last in the district. The Panthers went on to win the Texas State championship, beating San Antonio Lee 11 to 6. Mayfield’s teams also advanced to the title game in 1968 and 1970.

Mayfield left Odessa Permian and took the West Texas State University job in 1971. He finished his coaching career at Levelland High School.

Coach Mayfield posted a career high school record of 156 wins, 35 losses and 4 ties. While his teams were very successful, Coach Mayfield’s greatest accomplishment was the influence he had on the lives of the young men he coached. He instilled in all of us the value of hard work, responsibility, discipline, and being prepared. Coach Mayfield left a lasting impression on everyone he coached.

I credit much of my personal success to his influence on my life during these years since 1965.

Congratulations, Coach Mayfield, on a life well led.

WELCOME HOME TENNESSEE NATIONAL GUARD FROM McNAIRY COUNTY, TENNESSEE

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, today I would like to welcome home some of our Tennessee Army National Guard, our friends and neighbors from McNairy County who were deployed in 2004.

America relies on men and women who are willing to give of their time and effort and energy to defend our great Nation. These are men and women of courage and bravery, and that is what each individual has done. They have defended this Nation; they have defended our freedom.

I know the Tennessee National Guard Family Group Service of McNairy County has done a great job coming together to support the men and women in uniform and working to be sure that the families of those deployed had the help that they needed.

Mr. Speaker, McNairy County really has been a model community in this effort, and I hope all of my colleagues will join me in congratulating them and welcoming home their loved ones in the Tennessee Army National Guard.